

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARYANN AND DONALD ROBINSON : CIVIL ACTION
:
v. : NO. 21-4050
:
SOUTHEASTERN PENNSYLVANIA :
TRANSPORTATION AUTHORITY, *et al.* :

ORDER

AND NOW, this 16th day of November 2021, upon considering Plaintiffs' Motion for leave to file a second amended Complaint (ECF Doc. No. 22), Defendant Amtrak's Opposition (ECF Doc. No. 26), Plaintiffs' Reply (ECF Doc. No. 29), Defendant Amtrak's Sur-Reply (ECF Doc. No. 33), Defendant Amtrak's Motion for judgment on the pleadings (ECF Doc. No. 25), Plaintiffs' Opposition (ECF Doc. No. 35), Defendant Amtrak's Reply (ECF Doc. No. 36), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Plaintiffs' Motion for leave (ECF Doc. No. 22) is **DENIED** without prejudice;
2. Defendant Amtrak's Motion for judgment on the pleadings (ECF Doc. No. 25) is **GRANTED** and we dismiss Plaintiff's claims against Amtrak without prejudice; and,
3. We **amend** our October 4, 2021 Order (ECF Doc. No. 16) solely at paragraph four to grant Plaintiffs leave to move to amend the first amended Complaint as to Amtrak consistent with the accompanying Memorandum mindful of the over seven weeks of discovery to date as soon as practicable but no later than **January 4, 2022**.


KEARNEY, J.